Mr. MCCAIN, Mr. MACK, Mr. SMITH, Mr. LOTT, Mr. NICKLES, Mrs. HUTCHISON, Mr. THURMOND, Mr. INHOFE, Mr. SANTORUM, Mr. HEFLIN, Mr. SIMPSON, Mr. COATS, Mr. KYL, Mrs. FEINSTEIN, Mr. COCHRAN, and Mr. ROBB):

S.J. Res. 17. A joint resolution naming the CVN–76 aircraft carrier as the U.S.S. Ronald Reagan; to the Committee on Armed Services.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LUGAR:

S. Res. 53. An original resolution authorizing expenditures by the Committee on Agriculture, Nutrition and Forestry; from the Committee on Agriculture, Nutrition, and Forestry; to the Committee on Rules and Administration.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DOMENICI:

S. 226. A bill to designate additional land as within the Chaco Culture Archaeological Protection Sites, and for other purposes; to the Committee on Energy and Natural Resources.

THE CHACOAN OUTLIERS PROTECTION ACT

● Mr. DOMENICI. Mr. President, I rise today to introduce the Chacoan Outliers Protection Act of 1995. This legislation will expand the Chaco culture archaeological protection sites to include an additional 5,516 acres containing structures and artifacts associated with the Chacoan Anasazi Indian culture of the San Juan Basin of New Mexico.

Chaco Canyon lies within the San Juan Basin in northwestern New Mexico, an area of major significance to the cultural history of North America. It is estimated that the first human occupation of the area dates as far back as 10,000 years ago, when Paleo-Indian hunters entered the area.

The culture of these hunter-gatherers evolved quickly. Within the period spanning from 500 to 900 A.D., the culture of the people of the San Juan Basin, part of a larger culture known as the Anasazi, a Navajo term meaning ''the ancient ones,'' had developed more quickly than nearby Anasazi communities and cultures.

While modern-day Chaco Canyon is a remote and barren site, ancient Chaco Canyon was the center of the Anasazi civilization. The Anasazi flourished, building more pueblos and structures around Chaco Canyon and establishing a large network of outlying communities, which are what we now refer to as the Chacoan outliers. These outliers were spread over an area of more than 30,000 square miles and linked by an extensive system of roads.

As suddenly as the Anasazi evolved and thrived in the San Juan area, by 1300 A.D. the culture just as quickly disappeared, lasting only a brief 400 years. The sudden evolution and disappearance of the Anasazi, as well as the purpose of Chaco Canyon and its outliers, are two of archaeology's more intriguing mysteries.

It is traditionally believed that Chaco was a trade center for as many as 75 outlying communities in the area. Other maintain that Chaco was a religious and ceremonial site. While no one is certain exactly what function Chaco served in its time, all agree that its remaining sites must be preserved and protected.

Chaco Canyon has long been recognized as a nationally and internationally significant site. In March 1907, a Presidential proclamation established Chaco Canyon as a national monument. The monument was further enlarged in 1928 by another Presidential proclamation.

I have long been a supporter of preserving these precious areas. In 1980, I introduced and the Congress passed the Chaco Culture National Historical Park Establishment Act, which became Public Law 96–550. This act enlarged the park and reestablished it as the Chaco Culture National Historical Park, consisting of the main body of the park and three noncontiguous units. The act also mandated procedures for the protection, preservation, and administration of archaeological remnants of the Chacoan culture.

When Chaco Canyon was first afforded Federal protection in 1907, numerous aracheological sites were known to exist outside the boundaries of the national monument. Their relationship to Chaco Canyon, however, was unclear. Archaeologists subsequently determined that many of these sites—some as far as 100 miles from Chaco Canyon—were part of the Chacoan culture.

To the untrained eye, the physical remains of the Chacoan outliers are difficult to discern. At some of the sites, walls still stand. At most sites, however, the magnificent structures of the Anasazi people have collapsed into a mound of rubble, which over the years have been buried by the desert sands and eroded by sand and wind. Unfortunately, many of these sites were further vandalized by unscrupulous pot hunters or degraded by development activities.

In order to protect these outliers, the Chaco Culture National Historical Park Establishment Act designated 33 sites as Chaco culture archaeological protection sites. The Secretary of the Interior is charged with managing these sites in order to preserve them and provide for their interpretation and study. Activities that would endanger the cultural values of the sites are prohibited.

Ownership of the lands containing the archaeological protection sites is a checkerboard of private, State, Federal, and Indian interests. The Indian interests include trust, allotted, and fee parcels. In addition, some surface and subsurface ownerships are divided between two or more entities. Therefore, the act mandated that these lands be protected by cooperative agreements, rather than Federal acquisition, where possible.

The Chacoan outliers are not included in the National Park System. Rather, they are managed primarily by the Bureau of Indian Affairs, the Navajo Nation, and the Bureau of Land Management. These entities are responsible for resource protection and preservation at the sites.

This legislation will expand the existing Chaco culture archaeological protection sites system to add a total of eight new sites, and deleting two others. Of the two sites deleted, one has been incorporated into El Malpais National Monument, and the other is owned and protected by the Ute mountain tribe which prefers to manage this site. The additions are all publicly owned. This legislation also modifies the boundaries of certain already designated protection sites.

Included in these new archaeological protection sites is the first Forest Service site, Chimney Rock in southern Colorado. The Manuelito sites have been designated as ''Priority 1 National Historic Landmarks'' because severe erosion has damaged the sites. The Morris 41 site was added to the list as a result of hearings in the Senate Committee on Energy and Natural Resources last year.

The net results of the changes to be made by the Chacoan Outliers Protection Act would be to increase the number of Chaco culture archaeological protection sites from 33 to 39 and to increase the acreage of the system by 5,516 acres to 14,372 acres.

This legislation also authorizes the Secretary of the Interior to use a combination of land acquisition authority and cooperative agreements to provide archaeological resources protection at those sites remaining in private ownership. Testimony received during hearings in the House of Representatives last year indicated that the Department of the Interior did not have authority to purchase sites without clear evidence of damage or destruction of the Chacoan resources located in such areas. The bill was modified by the House to authorize the acquisition of such sites before they are destroyed.

Twenty-five of the thirty-nine sites designated under this bill are under Navajo jurisdiction. The Navajo people have preserved these resources in the past, but no single agency has previously taken the lead role in assisting the Navajo Nation in these efforts to ensure that the Navajo Nation will have a meaningful and equitable role in managing the Chaco sites. Therefore, this bill directs the Secretary to assist the Navjo Nation in the protection and management of the sites located on lands under the Navajo Nation's jurisdiction.

These changes are the result of dedicated years of research, recommendations, and assistance from Federal,

State, and Indian officials and organizations, archaeologists, the Interagency Management Group and the Chaco Culture Archaeological Protection Sites, the National Park Service, the Bureau of Indian Affairs, the Bureau of Land Management, the Forest Service, the Navajo Nation, and the State of New Mexico. These changes are also in accordance with the 1983 Joint Management Plan for the Chaco culture archaeological protection sites.

This bill is similar to the modified version of S. 310 from the 103d Congress. This bill was approved in the Senate, modified slightly by the House, and was one of many public lands bills cleared for floor action by the Senate Committee on Energy and Natural Resources, but never brought to the floor for final passage. I am hopeful we will be able to overcome the final hurdle and will pass legislation during the 104th Congress. These sites are part of the cultural heritage of all Americans and we must act quickly to preserve them. Cultural resources, once lost, can never be restored or regained.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 226

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION. 1. SHORT TITLE.

This Act may be cited as the ''Chacoan Outliers Protection Act of 1995''.

SEC. 2. PURPOSES.

Section 501(b) of Public Law 96–550 (16 U.S.C. 410ii(b)) is amended by striking ''San Juan Basin;'' and inserting ''San Juan Basin and surrounding areas;''.

SEC. 3. ADDITIONS TO CHACO CULTURE ARCHEOLOGICAL PROTECTION SITES.

Subsection 502(b) of Public Law 96–550 (16 U.S.C. 410ii–1(b)) is amended to read as follows:

''(b)(1) Thirty-nine outlying sites as generally depicted on a map entitled 'Chaco Culture Archeological Protection Sites', numbered 310/80,033–B and dated September 1991, are designated as 'Chaco Culture Archeological Protection Sites'. The 39 archeological protection sites totaling approximately 14,372 acres are identified as follows:

''Name:	Acres:
Allentown	380
Andrews Ranch	950
Bee Burrow	480
Bisa'ani	131
Casa del Rio	40
Casamero	160
Chimney Rock	3,160
Coolidge	450
Dalton Pass	135
Dittert	480
Great Bend	26
Greenlee Ruin	60
Grey Hill Spring	23
Guadalupe	115
Halfway House	40
Haystack	565
Hogback	453
Indian Creek	100
Jaquez	66
Kin Nizhoni	726
Lake Valley	30
Manuelito-Atsee Nitsaa	60
Manuelito-Kin Hochoi	116
Morris 41	85
Muddy Water	1,090
Navajo Springs	260
Newcomb	50
Peach Springs	1,046
Pierre's Site	440
Raton Well	23
Salmon Ruin	5
San Mateo	61
Sanostee	1,565
Section 8	10
Skunk Springs/Crumbled House	533
Standing Rock	348
Toh-la-kai	10
Twin Angeles	40
Upper Kin Klizhin	60.

''(2) The map referred to in paragraph (1) shall be—

''(A) kept on file and available for public inspection in—

''(i) appropriate offices of the National Park Service;

''(ii) the office of the State Director of the Bureau of Land Management in Santa Fe, New Mexico; and

''(iii) the office of the Area Director of the Bureau of Indian Affairs in Window Rock, Arizona; and

''(B) made available for the purposes described in subparagraph (A) to the offices of the Arizona and New Mexico State Historic Preservation Officers.''.

SEC. 4. DEFINITION.

Section 503 of Public Law 96–550 (16 U.S.C. 410ii–2) is amended by inserting ''(referred to in this title as the 'Secretary')'' after ''Secretary of the Interior''.

SEC. 5. LAND ACQUISITIONS.

Section 504(c)(2) of Public Law 96–550 (16 U.S.C. 410ii–3(c)(2)) is amended to read as follows:

''(2) The Secretary shall seek to use a combination of land acquisition authority under this section and cooperative agreements under section 505 to protect archeological resources at such sites described in section 502(b) as remain in private ownership.''.

SEC. 6. ASSISTANCE TO THE NAVAJO NATION.

Section 506 of Public Law 96–550 (16 U.S.C. 410ii–5) is amended by adding at the end the following new subsection:

''(f)(1) The Secretary, acting through the Director of the National Park Service, shall assist the Navajo Nation in the protection and management of such Chaco Culture Archeological Protection Sites as are located on lands under the jurisdiction of the Navajo Nation through a grant, contract, or cooperative agreement entered into under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).

''(2) The assistance provided under paragraph (1) shall—

''(A) consist of assistance in site planning, resource protection, interpretation, resource management actions, and such other activities as may be identified in the grant, contract, or cooperative agreement; and

''(B) include assistance with the development of a Navajo facility to serve persons who seek to appreciate the Chacoan Outlier Sites.''.●

By Mr. DASCHLE (for Mr. BAUCUS):

S. 229. A bill to require the Administrator of the Environmental Protection Agency to conduct risk assessments and cost-benefit analyses in promulgating regulations relating to human health and the environment, and for other purposes; to the Committee on Environment and Public Works.

THE EPA RISK ASSESSMENT AND COST-BENEFIT ANALYSIS ACT OF 1995

● Mr. BAUCUS. Mr. President, today I am introducing a bill that would improve the Environmental Protection Agency's implementation of the Clean Air Act, the Clean Water Act, and other environmental laws by requiring that, before issuing certain major regulations, the EPA Administrator must conduct a risk assessment and cost-benefit analysis.

The bill is identical to the Johnston-Baucus-Moynihan amendment, which was approved by a vote of 90 to 8 and incorporated into section 18 of the Safe Drinking Water Act that the Senate passed last year. That amendment is described, in detail, on pages S5875–5881 of the May 18, 1994, RECORD.

By way of brief background, we in Congress sometimes react to the problems of the day. We passed the Superfund law in 1980 as a reaction to the disaster at Love Canal. The Oil Pollution Control Act was passed after several tankers went aground fouling our coastal waters. And so on.

For the most part these are sound laws that protect our health and our environment. But, Mr. President, it is the rare case when Congress has all the information when these laws are enacted. Most often we are reacting to the most recent examples of the problem, which unfortunately are just the tip of the iceberg.

But it is regulatory agencies like EPA who have the responsibility to address the rest of the problem. And, when they do, they are almost always faced with difficult task of deciding how much protection is sufficient.

We may never have enough information to legislate the right level of protection in every case. But what we can do is make sure that these judgments are fair, unbiased, and based on the best information and analyses available.

That is the purpose of this bill. It requires EPA to conduct a thorough assessment of the risks before it issues a major regulation. It also requires the Administrator to certify that the benefits outweigh the costs, that the best available information was used, and that there are no other alternatives that are more cost-effective.

This will ensure that the public and everyone affected by the regulation will have full disclosure. They will know what is behind the regulation and why it is needed. They will also know how the risk addressed by the regulation compare with other risks encouraged in everyday life.

Mr. President, I firmly believe in the principles of risk assessment. But it must be applied fairly, and must not be used to masquerade efforts to undermine environmental protection.

Unlike some other risk assessment proposals, this bill will not roll back the environmental gains we have already made, or tie the Environmental Protection Agency in knots. It is limited to key rules that have a major

economic impact. It requires a careful assessment or regulatory benefits, including environmental benefits that may be difficult to calculate. It will not trigger a flurry of lawsuits that clog the courts. Instead, it applies risk assessment judiciously, so that we can improve our efforts to protect human health and the environment.

In closing, I wish to complement Senator JOHNSTON, who has worked hard on this issue for several years and negotiated a solid compromise during the last Congress.

Mr. President, I ask unanimous consent that a copy of the bill be included in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 229

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. RISK ASSESSMENT AND COST-BENEFIT ANALYSIS.

(a) REQUIREMENT.—Except as provided in subsection (b), in promulgating any proposed or final major regulation relating to human health or the environment, the Administrator of the Environmental Protection Agency shall publish in the Federal Register along with the regulation a clear and concise statement that—

(1) describes and, to the extent practicable, quantifies the risks to human health or the environment to be addressed by the regulation (including, where applicable and practicable, the human health risks to significant subpopulations who are disproportionately exposed or particularly sensitive);

(2) compares the human health or environmental risks to be addressed by the regulation to other risks chosen by the Administrator, including—

(A) at least three other risks regulated by the Environmental Protection Agency or another Federal agency; and

(B) at least three other risks that are not directly regulated by the Federal Government;

(3) estimates—

(A) the costs to the United States Government, State and local governments, and the private sector of implementing and complying with the regulation; and

(B) the benefits of the regulation;

including both quantifiable measures of costs and benefits, to the fullest extent that they can be estimated, and qualitative measures that are difficult to quantify; and

(4) contains a certification by the Administrator that—

(A) the analyses performed under paragraphs (1) through (3) are based on the best reasonably obtainable scientific information;

(B) the regulation is likely to significantly reduce the human health or environmental risks to be addressed;

(C) there is no regulatory alternative that is allowed by the statute under which the regulation is promulgated and that would achieve an equivalent reduction in risk in a more cost-effective manner, along with a brief explanation of why other such regulatory alternatives that were considered by the Administrator were found to be less cost-effective; and

(D) the regulation is likely to produce benefits to human health or the environment that will justify the costs to the United States Government, State and local governments, and the private sector of implementing and complying with the regulation.

(b) SUBSTANTIALLY SIMILAR FINAL REGULATIONS.—If the Administrator determines that a final major regulation is substantially similar to the proposed version of the regulation with respect to each of the matters referred to in subsection (a), the Administrator may publish in the Federal Register a reference to the statement published under subsection (a) for the proposed regulation in lieu of publishing a new statement for the final regulation.

(c) REPORTING.—If the Administrator cannot certify with respect to one or more of the matters addressed in subsection (a)(4), the Administrator shall identify those matters for which certification cannot be made, and shall include a statement of the reasons therefor in the Federal Register along with the regulation. Not later than March 1 of each year, the Administrator shall submit a report to Congress identifying those major regulations promulgated during the previous calendar year for which complete certification was not made, and summarizing the reasons therefor.

(d) OTHER REQUIREMENTS.—Nothing in this section affects any other provision of Federal law, or changes the factors that the Administrator is authorized to consider in promulgating a regulation pursuant to any statute, or shall delay any action required to meet a deadline imposed by statute or a court.

(e) JUDICIAL REVIEW.—Nothing in this section creates any right to judicial or administrative review, nor creates any right or benefit, substantive or procedural, enforceable at law or equity by a party against the United States, its agencies or instrumentalities, its officers or employees, or any other person. If a major regulation is subject to judicial or administrative review under any other provision of law, the adequacy of the certification prepared pursuant to this section, and any alleged failure to comply with this section, may not be used as grounds for affecting or invalidating such major regulation, although the statements and information prepared pursuant to this section, including statements contained in the certification, may be considered as part of the record for judicial or administrative review conducted under such other provision of law.

(f) DEFINITION OF MAJOR REGULATION.—For purposes of this section, ''major regulation'' means a regulation that the Administrator determines may have an effect on the economy of $100,000,000 or more in any one year.

(g) EFFECTIVE DATE.—This section shall take effect 180 days after the date of enactment of this Act.●

By Mr. HATCH (for himself and Mrs. FEINSTEIN):

S. 227. A bill to amend title 17, United States Code, to provide an exclusive right to perform sound recordings publicly by means of digital transmissions and for other purposes; to the Committee on the Judiciary.

THE PERFORMANCE RIGHTS IN SOUND RECORDINGS ACT OF 1995

● Mr. HATCH.

Mr. President, today, together with my distinguished colleague from California, Senator FEINSTEIN, I am introducing the Performance Rights in Sound Recordings Act of 1995.

Despite that complicated title this legislation is in fact a simple bill that amends the Copyright Act by giving those who create sound recordings the basic copyright protections that current law gives to all other creators. Specifically, the bill provides that the copyright owners of sound recordings have the right to benefit from the digital transmissions that may be made of their music.

Thus, like other copyright owners, such as film and video producers, those who create sound recordings will, on passage of this bill, be able to license many of the digital transmissions made of their works.

One common illustration of how this disparity in treatment operates in practice will demonstrate the irrationality of our current law: Many new recordings are released in video formats as well as in traditional audio only form. When the video is broadcast on television or cable, the composer of the music, the publisher of the music, the producer of the video, and the performer of the work are all entitled to a performance right royalty. However, when only the audio recording is played on the radio or delivered by means of a satellite or other subscription service, only the composer and publisher have performance rights that must be respected—even though the audio recording may be identical to the video soundtrack. The producer's and performer's interests are ignored.

It should be initially noted, Mr. President, that this bill does not impose new financial burdens on broadcasters or on any other broad class of users who traditionally perform sound recordings. Those users will instead continue to be subject only to those financial burdens that they voluntarily undertake. The aim of this bill is simply to level the playing field by according to sound recordings most of the same performance rights that all other works capable of performance have long enjoyed.

As I noted last Congress, sound recordings are not the only source of music available to broadcasters, nor is music programming the only format. Should those who may be granted new performance rights in the digital transmission of sound recordings be so unwise as to unfairly and unrealistically charge for licensing their works or to actually withhold their works from the public, then the detriment will fall principally on the very copyright owners that the law is designed to protect. But, in any event, the bill ensures that most digital transmissions of sound recordings will have the right to a license, on terms to be negotiated, or if necessary, arbitrated.

The basic issue raised by the Performance Rights Act is not new, Mr. President. The importance of the performance right issue was recognized when the Copyright Act of 1976 was debated by us, though it was not ultimately addressed by that act. Congress did, however, request a study of the issue to be made by the Copyright Office, and that study, released in 1978, did conclude that a performance right in sound recordings was warranted. This was at a time, it should be noted, when few could have anticipated the

widespread availability of digital technology and the possibility for flawless copying that is now a reality.

A subsequent study of this issue was provided to the Subcommittee on Patents, Copyrights and Trademarks in October 1991, in response to a joint request by Chairman DeConcini and Representative Hughes, chairman of the House Subcommittee on Intellectual Property. Their request was for an assessment of the effect of digital audio technology on copyright holders and their works. Again, the Copyright Office concluded that sound recordings should, for copyright purposes, be equated with other works protected by copyright. From this premise flows the inevitable conclusion that the producers and performers of sound recordings are entitled to a public performance right, just as are all other authors of works capable of performance. Thus, it should not be surprising that the Copyright Office recommended in 1991 that Congress enact legislation recognizing the performance right. Senator FEINSTEIN and I responded to that recommendation when, in the 103d Congress, we filed S. 1421, the Performance Rights in Sound Recordings Act of 1993.

In the months following introduction of S. 1421, a number of highly productive roundtable discussions were held, along with full hearings by the House Subcommittee on Intellectual Property and the Administration of Justice. In these forums, and in private discussions and negotiations, a remarkable variety of viewpoints were aired. As a result of this exchange numerous additions to the original text of S. 1421 have been incorporated in this year's bill, in response to the legitimate concerns of interested parties, including, but not limited to, music publishers, composers and songwriters, musicians, broadcasters, cable operators, background music suppliers, and performing rights societies.

Principal among these changes is the decision to give the bill a more limited scope. Unlike S. 1421, today's bill does not affect the interests of broadcasters, as that industry has traditionally been understood. While strong arguments can be made in favor of attaching a performance right to every performance of a sound recording, including analog and digital broadcasts, it is also true that long-established business practices within the music and broadcasting industries represent a highly complex system of interlocking relationships which function effectively for the most part and should not be lightly upset.

Of equal importance is the fact that traditional broadcasting does not present a threat to displace sales of sound recordings to the same extent that pay-per-listen, direct satellite, and subscription services do.

Currently, sales of recordings in record stores and other retail outlets represent virtually the only avenue for the recovery of the very substantial investment required to bring to life a sound recording. There are no royalties payable to the creators of the sound recording for the broadcast or other public performance of the work.

If the technological status quo could be maintained, it might well be that the current laws could be tolerated. But, we know that technological developments such as satellite and digital transmission of recordings make sound recordings vulnerable to exposure to a vast audience through the initial sale of only a potential handful of records. Since digital technology permits the making of virtually flawless copies of the original work transmitted, a potential depression of sales is clearly threatened, particularly when the copyright owner cannot control public performance of the work. And new technologies such as audio on demand and pay-per-listen will permit instant access to music, thus negating even the need to make a copy.

But, Mr. President, even if this economic argument were not persuasive, fairness and responsible copyright policy nonetheless dictate the recognition of the rights embodied in today's bill. As the Copyright Office has noted:

> Even if the widespread dissemination by satellite and digital means does not depress sales of records, the authors and copyright owners of sound recordings are unfairly deprived by existing law of their fair share of the market for performance of their works.

(Report on Copyright Implications of Digital Audio Transmission Services, Oct. 1991, pp. 156–157).

Mr. President, the bill that Senator FEINSTEIN and I are introducing today is about fairness, plain and simple. Unless Congress is prepared to create a hierarchy of artists based on a theory of rewarding some forms of creativity but not others, it must adopt a policy of nondiscrimination among artists. This should be true whether we are tempted to discriminate among artists based on the content of their creations, based on the nature of the works created, or based on the medium in which the works are made available to the public.

For too long, American law has tolerated an irrational discrimination against the creators of sound recordings. Every other copyrighted work that is capable of performance—including plays, operas, ballets, films, and pantomimes—is entitled to the performance right. It is denied only for sound recordings.

It is frankly difficult, Mr. President, to understand the historical failure to accord to the creators of sound recordings the rights seen as fundamental to other creators. I acknowledge that in other nations some have advanced the theory that copyright protection should not extend to sound recordings. This theory is based on the view that the act of embodying a musical work on a disc or tape is more an act of technical recordation than a creative enterprise. But, this has not been the American view, nor the view of most nations with advanced copyright systems. Since 1971, Congress has clearly recognized sound recordings as works entitled to copyright on an equal basis with all other works.

Thus, the joint authors of sound recordings—those who produce them and those who perform on them—must be seen as creators fully entitled to those rights of reproduction, distribution, adaptation, and public performance that all other authors enjoy. It is, I believe, no longer possible to deny the true creative work of the producers of sound recordings. While few are so well known as their stage and film counterparts, there are significant exceptions. In the field of operatic recording alone, one could cite legendary figures such as Walter Legge, Richard Mohr, or John Culshaw. As the ''New Grove Dictionary of Opera'' states with reference to the latter's landmark Wagner recordings of the 1950's, ''Mr. Culshaw's great achievement was to develop the concept of opera recording as an art form distinct from live performance.'' (Vol. I, p. 1026; Macmillan Press, 1992). The events referred to occurred over 30 years ago, yet American law still fails fully to recognize the sound recording as an art form entitled to the full range of copyright protections enjoyed by live performances.

Similarly, the unique creative input of the performing artist as a joint author cannot be casually discounted as a proper subject of copyright protection. It has been said that the recording industry was almost single-handedly launched by the public demand for one performer's renditions of works largely in the public domain. Indeed, Enrico Caruso's recordings from the early years of this century are almost all still in print today. To take a more contemporary example, it could be noted that Willie Nelson authored a country music standard when he composed ''Crazy,'' a song he has also recorded. But, Patsy Cline made the song a classic, by her inimitable performance of it.

It should be carefully noted, Mr. President, that today's bill is, frankly, compromise legislation. It does not seek to create a full performance right in sound recordings, a right that would extend to the more common analog mode of recording. Also, the digital right that the bill does create is limited to subscription transmissions. Other public performances of digital recordings are still exempted from the public performance right that the bill would create.

I believe that these major limitations on the rights that we seek to create today will limit as much as possible the dislocations and alterations of prevailing contractual arrangements in the music and broadcasting industries. I am sure I speak for Senator FEINSTEIN as well when I say that we are open to the consideration of additional means of ensuring that this bill does not have unintended consequences for other copyright owners, be they songwriters, music publishers, broadcasters, or others.

Mr. President, while today's bill is landmark legislation, it should also be noted that the bill only proposes to give the creators of sound recordings something approaching the minimum rights that more than 60 countries already give their creators. In so doing, the legislation should also have extremely beneficial consequences in the international sphere by strengthening America's bargaining position as it continues to campaign for strong levels of protection for all forms of intellectual property and by allowing American copyright owners to access foreign royalty pools that currently deny distributions of performance royalties to American creators due to the lack of a reciprocal right in the United States.

The absence of a performance right undoubtedly, hindered the efforts of United States trade negotiators in addressing matters such as the Uruguay round of the General Agreement on Tariffs and Trade [GATT] and will continue to hinder the current efforts of the World Intellectual Property Organization to develop a new instrument to settle the rights of producers and performers of sound recordings. In each instance, U.S. negotiators have been faced with the argument from our trading partners that the United States cannot expect other countries to provide increased protection when U.S. law is itself inadequate.

Furthermore, in many countries that do provide performance rights for sound recordings, there is often a refusal to share any collected royalties with American artists and record companies for the public performance of their recordings in those foreign countries. This is based on the argument that these rights should be recognized only on a reciprocal basis. For as long as foreign artists receive no royalties for the public performance of their works in the United States, American artists will continue to receive no royalties for the performance of American works in those foreign countries that insist on reciprocity.

The royalty pools we are talking about here, Mr. President, are, in fact, considerable. The Recording Industry Association of America has estimated that in 1992 American recording artists and musicians were excluded from royalty pools that distributed performance royalties in excess of $120 million. It is likely that this figure has increased in recent years and will continue to grow.

The insistance of certain foreign nations on reciprocity of rights as a condition to the receipt of performance royalties is inconsistent with the fundamental obligation of those nations to provide national treatment under the Berne Convention on the Protection of Literacy and Artistic Property or under the Rome Convention for the Protection of Performers, Producers of Phonograms, and Broadcasting Organizations. It is nonetheless an economic fact of life that seriously disadvantages American producers and performers and therefore must be dealt with. If passed, the Performance Rights in Sound Recordings Act should make it more likely that Americans who are entitled to royalties from foreign performances will be able to recover those funds. Thus, the direct economic benefits to be derived from the legislation are considerable.

Before concluding, Mr. President, I would like to thank my colleague from California, Senator FEINSTEIN, for joining me again this year in introducing this important legislation and for drawing our attention to the significant economic consequences involved.●

● Mrs. FEINSTEIN. Mr. President, I am joining my distinguished colleague, the chairman of the Senate Judiciary Committee, Senator HATCH of Utah, to introduce once again the Digital Performance Rights in Sound Recordings Act. Just as the version on which we collaborated last year did, this bill will—for the first time—provide recording companies and musical artists with the same protection under copyright law already enjoyed by songwriters and composers with respect to the performance of digital sound recordings.

Senator HATCH and I introduced similar language in the last Congress for the express purpose of beginning in earnest the debate over how to redress the current imbalance in copyright law. I'm very pleased that, although time did not permit final congressional action on the bill last year, virtually all of the affected industries accepted our invitation—and that extended by former Congressman Hughes—to fully explore the complicated legal and commercial issues presented by technology's inevitable advance.

Mr. Hughes, then chair of the House's Subcommittee on Intellectual Property and Judicial Administration, organized two highly effective roundtables that brought cable, broadcast, satellite, restaurant, and music industry leaders together with other copyright holder and labor organizations. I also met at great length with many of those principals last February, as did Chairman HATCH and his staff on many, many occasions. These efforts, I am pleased to say, produced a sweeping agreement on most major aspects of this issue last May.

That agreement provided the framework for the bill we have introduced today. This legislation creates a digital public performance right in sound recordings that is applicable to transmissions for which subscribers are charged a fee. Most of these transmissions are subject to statutory licensing, at rates to be negotiated, or if necessary, arbitrated. However, interactive services remain subject to an exclusive right, in keeping with the bill as originally introduced last Congress. The bill contains protections for licensing of copyrighted works in vertically integrated companies and contains language to make clear that the new performance right does not impair any of the other copyright rights under existing law.

Ditigal technology, and the industries built around its use to distribute sound recordings, have evolved and advanced dramatically in the 17 months since this legislation was first introduced, Mr. President. The need to keep America's copyright law current, therefore, has only become more acute.

Accordingly, I believe that this Congress has not merely an opportunity, but a responsibility, to build on the tremendous bipartisan strides made last year by expeditiously considering, amending if need be, and passing the bill that Senator HATCH and I have introduced today.

For those who have not reviewed this issue since the last Congress or are new to it, let me briefly review the principal reasons to adopt this legislation:

First, it is the fair thing to do. Owners of almost every type of copyrighted work—movies, books, plays, magazines, advertising, and artwork, for example—have the exclusive right to authorize the public performance of their copyrighted work. Sound recordings, and the artists and companies that make them, however, have no such performance right.

Accordingly, when a song is played over the radio, or, as is increasingly the case, over a new digital audio cable service, the artist who sings the song, the musicians and backup singers, and the record company whose investment made the recording possible have no legal right to control or to receive compensation for this public performance of their work.

The artists who made the music, and the companies that underwrote its production and promotion, don't see a dime of the revenue realized by the ditigal transmitter. And, without a right of public performance for sound recordings by means of digital transmissions, they will not. That is just not fair, and this inequity will not be corrected unless and until this legislation is passed.

Second, the advent of digital technology and the emergence of a whole new industry to distribute them directly to the home make prompt protection of artists and record companies critical.

Let me explain why. Ordinary, or analog, radio signals are waves and, as such, they vary in strength and break down over distance. That breakdown greatly diminishes sound quality.

In the past, therefore, the sale of comparatively high-quality recordings on cassette tapes and record albums was not jeopardized by the casual home recording of music played over the radio. The quality of home recording over-the-air simply did not compare with what a record or tape sounded like over a home stereo system.

Today, however, the same technology that has given us compact discs now allows perfect reproductions of music to be digitized—turned into computer ones and zeros—that can be sent by

satellite or over cable TV wires around the globe, and reassembled into concert hall quality music in our homes. Predictably, and quite legally, this quantum leap in sound technology has had a revolutionary impact on the way that music is marketed.

New subscription digital audio services have sprung up in cities, towns, and rural communities across the country. For a modest monthly fee, they deliver multiple channels of CD-quality music to customers in their homes—primarily through subscribers' cable TV wiring.

Other companies are experimenting with similar services to be provided through home computers, or more sophisticated systems that will permit the customer at home to custom-order whatever music he or she would like to hear and record. Although it is extremely time-consuming to download a CD today, soon compression technology and high-speed transmission will permit virtual instantaneous access. All one will need is a modem.

As the market is now configured, however, these companies need merely go to a local record store, buy a single copy of a compact disc which they can then transmit for a fee to tens of thousands, potentially millions, of subscribers. Because our copyright law is behind the technological times, record companies and recording artists do not see a penny of compensation from even one of those thousands of performances.

It is thus no exaggeration to say, that, without the change in copyright law proposed today, these wonderful new services have the potential to put the current recording industry out of business. Why travel to a store to buy a record, tape, or compact disc when you can get the same, or custom-tailored musical packages, in your living room at the touch of a button?

Frankly, that would be a tolerable evolution of the marketplace if artists and record companies were compensated for the use of their sound recordings by the new digital transmission services and on-line and interactive services. Right now, however, because of skewed copyright law, that is not the way the market works.

Neither Senator HATCH nor I suggest that digital audio services should not be able to operate just as they do now to bring top-quality digital signals to American homes. Our bill does insist, however, that such services not be able to take advantage of a redressable gap in our copyright laws to avoid compensating record companies and artists fairly.

Third, copyright experts have consistently urged Congress to create a right of public performance in sound recordings.

The U.S. Copyright Office has recommended since 1978 that a performance right in sound recordings be granted in all public performances, not just digital transmissions, and recently reiterated the urgency of the need for such reform created by the advent of digital audio technology. Indeed, the Copyright Office testified before the House Judiciary Subcommittee on Intellectual Property and Judicial Administration in the last Congress, urgently calling for enactment of such legislation.

In addition, the administration's working group on intellectual property rights of the information infrastructure task force, in its preliminary draft report, recently wrote:

> * * * the lack of a public performance right in sound recordings under U.S. law is an historical anomaly that does not have a strong policy justification—and certainly not a legal one.

The report also reiterated the administration's support for the bill that Senator HATCH and I introduced in the 103d Congress and for H.R. 2575, its House counterpart introduced by Representatives William Hughes and HOWARD BERMAN.

It is time to heed these expert calls.

Fourth, taking the experts' advice also will help U.S. trade negotiators obtain greater protection for American copyright holders overseas than they are now able to demand.

More than 60 countries around the world extend similar rights to producers and their artists, and have for many years. American negotiators' efforts to obtain protection for our own companies and artists have been hampered, as they have said repeatedly,by our inability to reciprocate. It is long past time to provide our trade representatives with this valuable bargaining chip.

Finally, Mr. President, I want to reiterate that the legislation we are introducing today is no different in intent than S. 1421, although the content is somewhat different. We have attempted to continue the work of the last Congress. Furthermore, we are introducing this legislation in the same spirit with which last year's bill was submitted. Chairman HATCH and I want to continue to work closely with all the affected industries to make this as strong and properly tailored a piece of legislation as possible.

We are standing at the cusp of an exciting digital age. Technological advances, however, must not come at the expense of American creators of intellectual property. This country's artists, musicians, and businesses that bring them to us are truly among our greatest cultural assets. This bill recognizes the important contribution that they make and provides protection for their creative works, both at home and abroad.

I am once again very pleased to be working with Senator HATCH to correct an increasingly dangerous and inappropriate imbalance in our Nation's copyright laws.●

By Mr. DOLE (for himself, Mr. SIMON, Mr. HELMS, Mr. ROBB, Mr. MCCAIN, Mr. D'AMATO, Mr. KENNEDY, Mr. GRAMM, and Mr. HATFIELD):

S. 230. A bill to prohibit United States assistance to countries that prohibit or restrict the transport or delivery of United States humanitarian assistance; to the Committee on Foreign Relations.

HUMANITARIAN AID CORRIDOR ACT

Mr. DOLE. Mr. President, I rise to speak briefly today to reintroduce the Humanitarian Aid Corridor Act. I am joined again by the distinguished Senator from Illinois, Senator SIMON, in addition to the following cosponsors: Senator MCCAIN, Senator D'AMATO, Senator KENNEDY, and Senator GRAMM. In my view, our legislation will further an important American foreign policy objective: to facilitate the prompt delivery of humanitarian aid. This would be achieved by establishing the principle that if a government obstructs humanitarian aid to other countries, it should not receive U.S. assistance. It seems to me that this is a principle that could be readily accepted by everyone. Very simply, our legislation would prohibit U.S. foreign assistance to countries which prohibit or impede the delivery or transport of U.S. humanitarian assistance to other countries. It makes a lot of sense to me.

The intended effect of this legislation is to ensure the efficient and timely delivery of U.S. humanitarian assistance to people in need. It will help deter interference with humanitarian relief, as well as provide for the appropriate response in the event of interference or obstructionism.

Mr. President, our legislation would be universally applicable—the Humanitarian Aid Corridor Act does not single out any one country. It would apply to all relief situations. Currently, however, there is one country that would clearly be affected. Turkey continues to receive large amounts of assistance in the form of grants and concessional loans financed by the American taxpayer while at the same time, it is enforcing an immoral blockade of Armenia. As a result, outside relief supplies must travel circuitous routes, thereby greatly increasing the cost of delivery. Moreover, many supplies never make it at all. This same blockade prevents care packages from the American Red Cross from entering Armenia, as an example.

In sum, United States aid to Armenia is far less effective and much more expensive because of Turkey's blockade. More importantly, Armenians freeze and go Hungry as a result of actions taken by the Turkish Government. The delivery of humanitarian assistance to aid those in need, like the Armenians—is consistent with the fundamental values of our Nation. This legislation will strengthen our ability to deliver such assistance which is an important component of our foreign policy.

Let me repeat, this bill does not name names. The legislation could apply to many other relief operations.

Indeed the United States conducts relief operations around the world, operations that depend on the cooperation of other countries. I recognize that Turkey has been a valuable ally in Nato and recently in Operation Desert Storm.

Mr. President, this legislation recognizes that there may be a compelling U.S. National Security interest which would override the principle of noninterference with Humanitarian aid. For this reason, U.S. foreign aid to nations in violation of this act may be continued if the president determines that such assistance is in the National Security Interest of the United States.

Mr. President, it does not make sense to me to offer U.S. taxpayer dollars unconditionally to countries that hinder our humantiarian relief efforts. In light of budgetary constraints, it is imperative that U.S. relief efforts be timely and efficient. The bottom line is that countries that prevent the delivery of such assistance, or intentionally increase the cost of delivering such assistance, do not deserve unrestricted American assistance.

Mr. President, this legislation will be referred to the Committee on Foreign Relations where I hope it will get rapid and positive consideration and a good rapid hearing. Similar legislation will be introduced in the House. I hope that Congress will quickly enact this legislation and send it to the White House for approval.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

We are just simply saying if a country blocks humanitarian aid, they do not get any assistance. It seems to me that it is pretty hard to dispute that argument or come to any other conclusion, notwithstanding, as I said, the fact that Turkey has been an ally.

I would hope that Turkish officials would take another look and make it easier for people in Armenia to receive humanitarian assistance from the United States.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 230

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Humanitarian Aid Corridor Act''.

SEC. 2. FINDINGS.

The Congress makes the following findings:

(1) The United States Federal budget deficit and spending constraints require the maximum efficiency in the usage of United States foreign assistance.

(2) The delivery of humanitarian assistance to people in need is consistent with the fundamental values of our Nation and is an important component of United States foreign policy.

(3) As a matter of principle and in furtherance of fiscal prudence, the United States should seek to promote the delivery of humanitarian assistance to people in need in a manner that is both timely and cost effective.

(4) Recipients of United States assistance should not hinder or delay the transport or delivery of United States humanitarian assistance to other countries.

SEC. 3. LIMITATION ON ASSISTANCE TO COUNTRIES THAT RESTRICT THE TRANSPORT OR DELIVERY OF UNITED STATES HUMANITARIAN ASSISTANCE.

(a) PROHIBITION ON ASSISTANCE.—Notwithstanding any other provision of law, funds appropriated or otherwise made available for United States assistance may not be made available for any country whose government prohibits or otherwise restricts, directly or indirectly, the transport or delivery of United States humanitarian assistance.

(b) WAIVER.—The prohibition on United States assistance contained in subsection (a) shall not apply if the President determines and notifies Congress in writing that providing such assistance to a country is in the national security interest of the United States.

(c) RESUMPTION OF ASSISTANCE.—A suspension or termination of United States assistance for any country under subsection (a) shall cease to be effective when the President certifies in writing to the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate that such country is no longer prohibiting or otherwise restricting, either directly or indirectly, the transport or delivery of United States humanitarian assistance.

SEC. 4. REPORT.

(a) IN GENERAL.—At the time of the annual budget submission to Congress, the President shall submit a report to Congress describing any information available to the President concerning prohibitions or restrictions, direct or indirect, on the transport or delivery of United States humanitarian assistance by the government of any country receiving or eligible to receive United States foreign assistance during the current or preceding fiscal year.

(b) APPLICABILITY OF LAW.—The President shall include in the report required by subsection (a) a statement as to whether the prohibition in section 3(a) is being applied to each country for which the President has information available to him concerning prohibitions or restrictions, direct or indirect, on the transport or delivery of United States humanitarian assistance.

SEC. 5. DEFINITION.

As used in this Act, the term ''United States assistance'' has the same meaning given that term in section 481(e)(4) of the Foreign Assistance Act of 1961.

By Mr. KEMPTHORNE (for himself, Mr. WARNER, Mr. DOLE, Mr. CRAIG, Mr. MCCAIN, Mr. MACK, Mr. SMITH, Mr. LOTT, Mr. NICKLES, Mrs. HUTCHISON, Mr. THURMOND, Mr. INHOFE, Mr. SANTORUM, Mr. HEFLIN, Mr. SIMPSON, Mr. COATS, Mr. KYL, Mrs. FEINSTEIN, Mr. COCHRAN, and Mr. ROBB):

S.J. Res. 17. A joint resolution naming the CVN–76 aircraft carrier as the U.S.S. *Ronald Reagan*; to the Committee on Armed Services.

U.S.S. ''RONALD REAGAN'' AIRCRAFT CARRIER

Mr. KEMPTHORNE. Mr. President, I introduce a joint resolution and ask that it be referred to the appropriate committee.

The joint resolution I am introducing today was developed with the help and guidance of the senior Senator from Virginia, Senator JOHN W. WARNER. Senator WARNER and I separately came up with this idea and we joined forces to put this resolution together. In addition, Senators DOLE, THURMOND, CRAIG, SMITH, MCCAIN, MACK, LOTT, NICKLES, HUTCHISON, INHOFE, SANTORUM, FEINSTEIN, COCHRAN, KYL, SIMPSON, COATS, and HEFLIN have jointed Senator WARNER and I as cosponsors of this joint resolution.

The joint resolution Senator WARNER and I are introducing today will direct that the aircraft carrier approved and funded by the last Congress, known heretofore as CVN–76, shall be named the U.S.S. *Ronald Reagan*. I can think of no better tribute to our Nation's 40th President.

In 1980, Ronald Wilson Reagan was elected the 40th President of the United States of America. After campaigning on a platform dedicated to peace through strength, President Reagan initiated policies to rebuild and strengthen America's military power. As a result of the so-called Reagan build up, President Reagan was able to negotiate the first true nuclear arms reduction agreements, the INF Treaty and the START I accord, with the Soviet Union.

President Reagan also enacted policies to promote democracy and challenge Soviet-style communism around the world. In fact, the policy of challenging communism with democracy was given a name, it was called the Reagan doctrine. As a result of the Reagan doctrine, freedom fighters in nations such as Afghanistan and Nicaragua were able to escape the grip of Communist tyranny.

As Commander in Chief, President Reagan never forgot the men and women who volunteer to wear the uniform of the United States of America. Indeed, President Reagan's policies and actions restored the respect given to American military personnel around the world.

President Reagan served his Nation for 2 terms with unmatched style and grace. After his first term in office, an appreciative nation reelected President Reagan with a 49-State landslide. Throughout his 8 years as President, no one served as a more dignified, nor proud, representative of the United States than Ronald Reagan.

I think it entirely appropriate that CVN–76 be named the U.S.S. *Ronald Reagan* because of our 40th President's steadfast commitment to a robust Navy, strong Armed Forces and a global U.S. military presence. I believe that the sight of the U.S.S. *Ronald Reagan* patroling the high seas to defend America's interest will serve as a fitting tribute to the man who reminded his fellow countrymen, and the world, that America's best days are yet to come.

Mr. President, I hope my colleagues will take the time to look at the proposed joint resolution and I look forward to bringing this joint resolution to the Senate floor. I would like to ask unanimous consent that Senator WARNER's letter to President Clinton, and

my letter to the Secretary of the Navy, the Honorable John Dalton, regarding this proposal be entered into the RECORD. I also want to once again thank Senator JOHN WARNER for his much appreciated cooperation and assistance in this joint effort.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, DC, November 16, 1993.

Hon. JOHN DALTON,
Secretary of the Navy, Department of the Navy, Washington, DC.

DEAR SECRETARY DALTON: As you know, the Fiscal Year 1994 Defense Appropriation Act provided $1.2 billion to begin construction of the next aircraft carrier (CVN–76). Once this ship is authorized, I assume construction of this vessel will begin.

I am writing to urge you to name CVN–76 in honor of former President Ronald Reagan. I believe the ''USS *Ronald Reagan*'' would be a fitting tribute to the man who played a key role in winning the Cold War. Whatever one's political views, President Reagan's commitment to ''peace through strength'' and his dedication to the men and women in our armed forces cannot be denied. I am confident that the American people and the Congress would strongly support this tribute to our 40th president.

I hope we can discuss the name of CVN–76 sometime in the future. I look forward to hearing from you.

Sincerely,

DIRK KEMPTHORNE,
U.S. Senator.

U.S. SENATE,
December 9, 1994.

The PRESIDENT,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: Yesterday the Department of the Navy finalized the principle contract for constructing America's newest nuclear aircraft carrier, CVN76.

Several ships of this class proudly bear the names of our Nation's former Presidents.

As you will soon be selecting a name for the ship, I respectfully urge you to consider designating it ''USS *Ronald Reagan*.''

The first mission of these carriers is to deter aggression against our Nation's security interest and that of our allies.

President Reagan was the principle architect of America's defense and foreign policy during the period which not only deterred aggression from communist adversaries, but also laid the foundation for the decline and ultimate demise of European communist Nations.

The ''USS *Ronald Reagan*,'' as she sails the seven seas to deter future aggression, will serve as a symbol of America's role, together with other nations of the free world in successfully defeating communism.

With kind regards, I am

Respectfully,

JOHN WARNER.

Mr. WARNER. Mr. President, as an original cosponsor, I rise today to express my full support for the joint resolution introduced by Senator KEMPTHORNE which would name the Navy's newest aircraft carrier, CVN–76, the U.S.S. *Ronald Reagan*.

Throughout the 1980's and into the early 1990's, the United States boasted the strongest military in the world—unmatched in the quality of its people, weapons, munitions, and equipment. The nucleus of that force remains today and, with some focused hard work, we will continue to be the world's foremost military power.

Our preeminent military force did not simply evolve, however. It was methodically built utilizing foresight, dedication and a lot of hard work by a lot of devoted people. One individual, however, stands above all others as the principal architect and master builder of our strong military, and that individual is Ronald Reagan.

President Reagan often quoted George Washington's maxim that ''To be prepared for war is one of the most effectual means of preserving the peace.'' Throughout his time in office he followed that maxim, provided us with a clear vision of what a powerful American military should be and then tirelessly worked to assure that the force was built. His efforts guaranteed peace through strength.

President Reagan inherited a military that was not at the level of readiness required of a superpower. Recall that when he was elected, 52 Americans were being held hostage in Iran. The previous April, a military effort to rescue those hostages had ended in tragedy and failure at a place called Desert 1. The Iranian hostage situation and the debacle at Desert 1 reflected a country whose respect within the world community had eroded and a military whose members were undertrained, less than adequately equipped when compared to their potential adversaries, and generally dispirited.

Ronald Reagan pulled America out of that dilemma. On August 20, 1981, the old ex-horse cavalryman, as he often referred to himself, set the tone for his 8 years in office when he made the following statement to the crew of the aircraft carrier, the U.S.S. *Constellation:*

> I know there've been times when the military has been taken for granted. It won't happen under this administration * * *. Providing security for the United States is the greatest challenge and a greater challenge than ever, but we'll meet that challenge * * *. Let friend and foe alike know that America has the muscle to back up its words * * *.

During Ronald Reagan's tenure in office, he held true to that statement. His vision led to the creation of the most technologically superior military in the world. Moreover, increased pay and benefits for our people in uniform, something that President Reagan so strongly advocated and relentlessly pushed for, resulted in the recruitment and retention of the highest quality people who have ever served in the military. Perhaps even more significantly, President Reagan's strong leadership as the Commander in Chief instilled in the American people, and in the world community, a renewed high level of respect for our Armed Forces while at the same time restoring the confidence of our military people, making them believe that they are members of an honorable profession, performing a vital service to their Nation.

CVN–76 will be our ninth *Nimitz* class nuclear powered aircraft carrier. One is named the U.S.S. *United States*. The other seven currently in service or being built are named after people who made great contributions to the American military—either leading forces in battle, serving as President during war or working during times of peace to assure the continued strength of the American military and the security of the United States. The *Theodore Roosevelt*, in particular, honors a President who built the Great White Fleet and sailed it around the world to proclaim America as a naval power and an emerging international economic power.

Ronald Reagan's service to our Nation merits his taking a rightful place alongside those other great Americans who have been honored by having *Nimitz* class aircraft carriers named after them. Like Theodore Roosevelt, President Reagan built a military that announced to the world that the United States is, once again, a great power. And like Roosevelt, George Washington, Abraham Lincoln, and Dwight Eisenhower, Ronald Reagan is a great leader whose vision and guidance have taken us, as a nation, to new heights of strength and respect among the other nations of the world.

The primary mission of CVN–76 will be to deter aggression against our Nation's security interests and those of our allies. As such, it should bear a name which reflects audacity and decisiveness as well as the respect which we trust our allies and potential adversaries alike will hold for it and the Nation it represents. I can think of no name for this vessel which would be more appropriate than that of the individual who designed, built, and led the world's most potent military force in the 1980's: Ronald Reagan.

Mr. President, I believe my colleagues will agree that naming CVN–76, a ship that will assure peace through strength, the U.S.S. *Ronald Reagan* will be both an enhancement of Navy traditions and a fitting tribute to a most deserving former Commander in Chief. I strongly urge adoption of this joint resolution.

Mr. HEFLIN. Mr. President, I rise today to endorse this proposal to name the next aircraft carrier, CVN–76, the U.S.S. *Ronald Reagan*. I believe this would be a fitting tribute to a great man and a great President.

Ronald Reagan was elected the 40th President of the United States on November 4, 1980. Central to President Reagan's agenda was the defeat of communism and the rebirth of America as a ''beacon of hope for those who do not have freedom.'' He therefore made the buildup of the Nation's Armed Forces, which began under President Carter, his No. 1 budget priority.

Two defensive weapon systems, in particular, have become synonymous with the Reagan administration. First

and foremost is the strategic defense initiative, which the President announced in his historic 1983 address to the Nation. It was the work of scientists and engineers in Huntsville and California that convinced President Reagan to endorse research on missile defenses, and I am proud of the leadership role that Huntsville has continued to play in this regard.

The second weapon system associated with the Reagan administration was the MX missile. The intercontinental ballistic missile was the cornerstone of our ICBM modernization program and it, together with SDI, can be credited with convincing the Soviets to begin serious arms control talks. In fact, by the end of the Reagan's second term the START talks has begun and we had signed the Intermediate Nuclear Force [INF] Treaty which eliminated an entire class of nuclear missiles. It should be noted that the INF Treaty led to the first actual reduction of nuclear missiles in history.

In retrospect, many credit the Reagan arms buildup with the eventual bankruptcy and collapse of the Soviet Union. While I believe the main causes of the collapse were the inherent flaws of communism, the arms race certainly played a major role and the President does deserve praise for his steadfast commitment.

In his own words, Ronald Reagan's hope was to ''go down in history as the President who made Americans believe in themselves again.'' He was successful. He reminded us of our glorious past, that we were in a nation founded on the principles of freedom and democracy. He took world leadership on the issues of the day and reassured us we were still the greatest nation on earth. Finally, through his philosophy of peace through strength, he held the forces of communism at bay and set the ground work for their eventual defeat, giving us new hope in the future.

Mr. President, aircraft carriers are the pride of the U.S. Navy and are floating symbols of our national strength and conviction. Five times before we have named an aircraft carrier after a President, with the last being the U.S.S. *John F. Kennedy*. Ronald Reagan also deserves this honor. I, therefore, encourage my colleagues to join me in supporting this tribute to President Reagan.

ADDITIONAL COSPONSORS

S. 4

At the request of Mr. MCCAIN, the name of the Senator from California [Mrs. FEINSTEIN] was added as a cosponsor of S. 4, a bill to grant the power to the President to reduce budget authority.

S. 16

At the request of Mr. DOLE, the names of the Senator from New York [Mr. MOYNIHAN], and the Senator from Wyoming [Mr. THOMAS] were added as cosponsors of S. 16, a bill to establish a commission to review the dispute settlement reports of the World Trade Organization, and for other purposes.

S. 43

At the request of Mr. FEINGOLD, the name of the Senator from Vermont [Mr. LEAHY] was added as a cosponsor of S. 43, a bill to phase out Federal funding of the Tennessee Valley Authority.

S. 45

At the request of Mr. FEINGOLD, the name of the Senator from Vermont [Mr. LEAHY] was added as a cosponsor of S. 45, a bill to amend the Helium Act to require the Secretary of the Interior to sell Federal real and personal property held in connection with activities carried out under the Helium Act, and for other purposes.

S. 91

At the request of Mr. COVERDELL, the names of the Senator from Kansas [Mrs. KASSEBAUM], the Senator from Michigan [Mr. ABRAHAM], and the Senator from Texas [Mrs. HUTCHISON] were added as cosponsors of S. 91, a bill to delay enforcement of the National Voter Registration Act of 1993 until such time as Congress appropriates funds to implement such act.

S. 137

At the request of Mr. BRADLEY, the name of the Senator from Delaware [Mr. BIDEN] was added as a cosponsor of S. 137, a bill to create a legislative item veto by requiring separate enrollment of items in appropriations bills and tax expenditure provisions in revenue bills.

S. 164

At the request of Mr. BRADLEY, the name of the Senator from Mississippi [Mr. LOTT] was added as a cosponsor of S. 164, a bill to require States to consider adopting mandatory, comprehensive, statewide one-call notification systems to protect natural gas and hazardous liquid pipelines and all other underground facilities from being damaged by excavations, and for other purposes.

SENATE RESOLUTION 31

At the request of Mrs. BOXER, the name of the Senator from California [Mrs. FEINSTEIN] was added as a cosponsor of Senate Resolution 31, a resolution to express the sense of the Senate that the Attorney General should act immediately to protect reproductive health care clinics.

SENATE RESOLUTION 53—ORIGINAL RESOLUTION REPORTED AUTHORIZING EXPENDITURES BY THE COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. LUGAR, from the Committee on Agriculture, Nutrition, and Forestry, reported the following original resolution; which was referred to the Committee on Rules and Administration:

S. RES. 53

Resolved, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Agriculture, Nutrition and Forestry is authorized from March 1, 1995, through February 28, 1996, and March 1, 1996, through February 28, 1997, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or non-reimbursable basis the services of personnel of any such department or agency.

SEC. 2. The expenses of the committee for the period March 1, 1995, through February 28, 1996, under this resolution shall not exceed $1,708,179, of which amount (1) not to exceed $4000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $4000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(b) For the period March 1, 1996, through February 28, 1997, expenses of the committee under this resolution shall not exceed $1,746,459, of which amount (1) not to exceed $4000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $4000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

SEC. 3. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 1996, and February 28, 1997, respectively.

SEC. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee, except that vouchers shall not be required (1) for the disbursement of salaries of employees paid at an annual rate, or (2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate, or (4) for payments to the Postmaster, United States Senate, or (5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (6) for the payment of Senate Recording and Photographic Services.

SEC. 5. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 1995, through February 28, 1996, and March 1, 1996, through February 28, 1997, to be paid from the Appropriations account for ''Expenses of Inquiries and Investigations.''